

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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DANIEL RODRIGUEZ, on behalf of himself and
all others similarly situated,

_____, Plaintiff(s),

-against-

**REQUEST FOR
CERTIFICATE OF
DEFAULT**

1:22-CV- 7288

APR57.COM, INC.,

_____, Defendant(s).

-----X

TO: JUDGE TARYN A. MERKL
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Please enter the default of defendant(s), APR57.COM, INC., pursuant to Rule 55(a) of the Federal Rules of Civil Procedure for failure to plead or otherwise defend this action as fully appears from the court file herein and from the attached affirmation of In Support of Request for Certificate of Default.

Dated: 3-20-2023

By: s/Mark Rozenberg
Mark Rozenberg
Stein Saks, PLLC
One University Plaza
Hackensack, NJ 07601
201-282-6500
mrozenberg@steinsakslegal.com

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

-----X
DANIEL RODRIGUEZ, on behalf of himself
and all others similarly situated, _____,

Plaintiff(s)

**AFFIRMATION IN SUPPORT
OF
REQUEST FOR CERTIFICATE
OF DEFAULT**

-against-

1:22-CV-7288

APR57.COM, INC.,
_____,

Defendant(s).

-----X
DANIEL RODRIGUEZ

hereby declares as follows:

1. I am the plaintiff in this action.
2. This action was commenced pursuant to _____ 28 U.S.C. § 1331 and 42 U.S.C. § 12182.
3. The time for defendant(s), _____ APR57.COM, INC., or otherwise

move with respect to the complaint herein has expired.

4. Defendant(s), _____ APR57.COM, INC., has not answered or otherwise moved
with respect to the complaint, and the time for defendant _____ APR57.COM, INC.,

to answer or otherwise move has not been extended.

5. That defendant(s) APR57.COM, INC., _____ is not an infant or
incompetent. Defendant(s) APR57.COM, INC., is not presently in the military
service of the United States as appears from facts in this litigation.

6. Defendant(s) _____ APR57.COM, INC., is indebted to Plaintiff
Daniel Rodriguez _____, in the following manner (state the facts in support of the claim(s)):

Plaintiff is a blind individual who attempted to access Defendant's website on multiple occasions using special screen reader
software. However, due to Defendant's website barriers which fail to allow disable persons the ability to access its site
using the disability software necessary for their use of the site, these access barriers have denied Plaintiff full and equal

access to Defendant's website and the goods and services it provides to the public. Defendant is entitled to injunctive
and declaratory relief and other remedies, procedures and rights set forth under 42 U.S.C. § 12188 and the NYC Human
Rights Law, including statutory, compensatory and punitive damages, pre and post judgment interest
and reasonable costs and attorneys' fees in addition to such other relief this Court deems just and proper
Therefore, Defendant is indebted to Plaintiff in the amount of \$20,000.00

WHEREFORE, plaintiff DANIEL RODRIGUEZ requests that the default of
defendant(s) APR57.COM, INC., be noted and a certificate of default issued.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my
knowledge, information and belief, that the amount claimed is justly due to plaintiff, and that no
part thereof has been paid.

Dated: 3-20-2023

By: s/Mark Rozenberg
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